

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

JAMON RIVERA, et al,

Plaintiffs,

-vs-

WASHINGTON STATE BUILDING CODE
COUNCIL, et al.,

Defendants.

CLIMATE SOLUTIONS, et al.,

Defendant-Intervenors.

Case No. 1:23-CV-3070-SAB

CIVIL MINUTES

DATE: JULY 18, 2023

LOCATION: YAKIMA, WA

**MOTION FOR PRELIMINARY
INJUNCTION HEARING**

Chief Judge Stanley A. Bastian		
Michelle Fox Courtroom Deputy	02 Law Clerk	Kimberly Allen Court Reporter
Megan Berge Scott Novak Callie Castillo Brooke Cunningham Plaintiffs' Counsel	William McGinty July Simpson Jan Hasselman - Intervenor Noelia Gravotta - Intervenor Defendants' Counsel	

☒ **Open Court**

☐ **Chambers**

☐ **Telecon/Video**

Motion for Preliminary Injunction, ECF No. 25

Court addresses counsel. The Court has entered an order for the sur-replies.

M. Berge summarizes the issues to be argued on the merits of irreparable harm, ripeness and standing and C. Castillo will argue irreparable harm, balance of equities and public interest and Eleventh Amendment.

Court asks if the Eleventh Amendment needs to be argued today? It doesn't relate to the preliminary injunction.

M. Berge understands and is not necessary today.

[X] ORDER FORTHCOMING

CONVENED: 10:00 A.M.	ADJOURNED: 11:00 A.M.	TIME: 1 HR.	CALENDARED [X]
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M. Berge presents argument.

Court states that it was just a question about the Eleventh Amendment. If the parties believe it is necessary for the Injunction, then it can be argued.

C. Castillo responds.

C. Castillo presents argument. Court questions counsel - how do we know no steps were taken. C. Castillo responds and continues argument. Court questions counsel. C. Castillo responds. Court questions counsel – no mandate. C. Castillo responds. Court questions counsel. C. Castillo responds and continues argument.

W. McGinty presents argument. Court questions counsel. W. McGinty responds and continues argument. Court questions counsel. W. McGinty responds and continues argument.

J. Hasselman presents argument.

Rebuttal argument by M. Berge.

Rebuttal argument by C. Castillo.

Court addresses counsel. DENY Motion for Preliminary Injunction. Court makes comments for the record on the ruling. Court addresses the four prongs. Berkley decision is still pending. Court will issue an Order.